

FOR THE DISTRICT OF NEBRASKA

EPIFANIO REYES NUNEZ,)	
)	
Plaintiff,)	8:09CV99
)	
v.)	
)	
SIX UNKNOWN NAMES AGENTS, OR)	MEMORANDUM OPINION
MR. PRESIDENT,)	
)	
Defendants.)	
_____)	

This matter is before the Court on its own motion. On April 30, 2009, the Court ordered plaintiff, Epifanio Reyes Nunez, "to file an affidavit attesting" that he filed the complaint in this matter (Filing No. [9](#)). On May 14, 2009, plaintiff filed a letter stating that he did not file the complaint (Filing No. [11](#)). Plaintiff asserts that the only case he has before the Court is Case Number 8:09CV62. ([Id.](#)) Because plaintiff did not file the complaint in this matter,¹ it will be dismissed without prejudice. A separate order will be entered in accordance herewith.

DATED this 20th day of May, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

¹ Plaintiff asserts that he knows nothing about the complaint in this matter and that he did not ask anyone to file it on his behalf (Filing No. [10](#)).